

### **REMARKS**

Claims 1-64 are pending in the present application. Claims 27-30, 32, 36-41 and 64 were amended to remove the means-plus-function limitations. The amendments to Claims 27-30, 32, 36-41 and 64 were not made in view of the prior art and are broadening amendments. No new matter has been added. Applicant respectfully requests reconsideration of the pending Claims in view of the following remarks.

#### **Telephonic Interview**

Applicant thanks the Examiner (Sharad K. Rampuria) and the Examiner's supervisor, (William G. Trost), for the courtesies extended to Applicant's attorney, Sanders N. Hillis (reg. no. 45,712) during a telephonic interview that occurred on May 15, 2008. During the interview, Claims 1, 2-5, 6, 23, 27, 46, and 49, U.S. Patent No. 6,115,611 to Kimoto et al., U.S. Patent No. 6,295,454 to Havinis, U.S. Pat. No. 6,091,958 to Bergkvist and U.S. Pat. No. 5,889,770 to Jokiahho were discussed. Agreement was reached that neither Kimoto, Havinis, Bergkvist, nor Jokiahho taught or suggested each and every limitation of the discussed Claims. It was further agreed that more search and consideration of the currently pending claims would be necessary as a result of the discussion. In addition, in a follow up voice mail message from Examiner Rampuria, it was indicated that a non-final office action would be forthcoming.

#### **Obviousness Type Double Patenting Rejection**

Claims 1-62 were provisionally rejected under the judicially created doctrine of obviousness type double patenting in view of co-pending Application No. 09/786818, now US Patent No. 7,010,306. Applicant has filed a terminal disclaimer herewith and respectfully requests withdrawal of the obviousness type double patent rejection.

**Claim Rejections pursuant to 35 U.S.C. §103(a)**

Claims 1-64 were rejected pursuant to 35 U.S.C. §103(a) as being obvious in view of the combination of U.S. Patent No. 6,115,611 to Kimoto et al. (hereinafter "Kimoto") in view of U.S. Patent No. 6,295,454 to Havinis et al. (hereinafter "Havinis") and U.S. Pat. No. 6,091,958 to Bergkvist (hereinafter "Bergkvist"). In addition, as an alternative rejection, Claims 1-64 were rejected pursuant to 35 U.S.C. §103(a) as being obvious in view of the combination of Kimoto in view of Havinis and U.S. Patent No. 5,889,770 to Jokiahho (hereinafter "Jokiahho"). Applicant respectfully traverses these rejections because the cited combinations of the references fail to teach, suggest, or disclose each and every limitation of the Claims, and thus a *prima facie* case of obviousness in view of the cited references cannot be maintained.

For example the method of Claim 1 describes identifying, with said mobile communication terminal, a description format for said requested location information, and adding, at said mobile communication terminal, said acquired location information to said down data in accordance with said description format. As discussed during the Telephonic Interview, none of the cited references, either alone or in combination describe adding acquired location information to down data. To the contrary, both Kimoto and Havinis simply describe requests and responses and both Bergkvist and Jokiahho simply describe acknowledgment messages with no teaching or suggestion that acquired location information is added to down data received with a mobile terminal as described in Claim 1. In addition, none of the cited references, either alone, or in combination, describe identifying a description format for requested location information, and adding acquired location information to down data in accordance with the description format as also described in Claim 1. To the contrary, all of Kimoto, Havinis, Bergkvist and Jokiahho are wholly unconcerned and silent regarding a format of location data.

As also discussed during the interview, neither Kimoto, Havinis, Bergkvist nor Jokiahho teach or suggest a character string as described in Claims 2-4, nor

substituting acquired information for a character string as described in Claim 5. In addition, as discussed during the interview, the basis of the rejections of claims 7-10, 14-17 and 61 were absent from the office action mailed December 13, 2007.

In another example, as discussed during the telephonic interview, contrary to the assertions on pages 8 of the office action mailed December 13, 2007, Havinis also does not describe said mobile communication terminal retrieving from memory a pre-stored network address indicative of a server that provides map location information or transmittal of a pre-stored network address and acquired location information added to the pre-stored network address to a destination mobile terminal as described in Claim 23. To the contrary, Havinis describes a location application (280) LA that requests location information, and can include in the request "an address of the LA 280 or other entity where the MS 20 must send the chronicled location information 298." (Col. 5 lines 10-11 and lines 24-26) Clearly, a location application is not a destination mobile terminal as described in Claim 23. Havinis also describes that the address of the LA can be stored by the mobile terminal, and used by the mobile terminal as a destination to which location information is sent. (Col. 5 lines 23-28) Clearly, use of a destination address to transmit location information as described by Havinis, and transmittal of a pre-stored network address added to location information as described in Claim 23 are entirely different. Thus, not only do none of the cited references either alone or in combination teach or suggest transmittal of anything to a destination mobile terminal, but also fail to describe transmittal of a pre-stored network address as described in Claim 23.

During the telephonic interview, it was agreed that neither Havinis nor Kimoto taught or suggested the limitations of Claim 23 regarding retrieving from memory a pre-stored network address, nor transmittal from a mobile terminal to a destination mobile terminal of said pre-stored network address and acquired location information added to said pre-stored network.

In addition, Claim 23 describes transmitting, by said mobile communication terminal, said pre-stored network address for receipt by said destination mobile communication terminal after adding said acquired location information to said pre-stored network address. As discussed during the telephonic interview, contrary to the assertions on page 9 of the office action mailed December 13, 2007, it was agreed Bergkvist did not teach or suggest such limitations. In addition, it was further agreed during the telephone interview that the limitations were not addressed on page 18 of the office action mailed December 13, 2007.

In still another example, amended Claim 27 describes a processor configured to identify a description format for said requested location information, and said processor is further configured to add said acquired location information to said received down data in accordance with said description format. As discussed during the interview, not only do none of Kimoto, Havinis, Bergkvist, nor Jokiahho describe a processor configured to add acquired location information to received down data, but also, Kimoto, Havinis, Bergkvist, and/or Jokiahho are silent and unconcerned with any form of description format of the acquired location information. During the telephonic interview, it was agreed that neither Kimoto, Havinis, Bergkvist, nor Jokiahho taught or suggested a processor further configured to add said acquired location information to said received down data in accordance with said description format as described in Claim 27. As was also discussed during the interview, Applicant respectfully requests examination on the merits and a basis for the rejections of claims 33-35, 40, 43-44, and 62.

In another example regarding Claim 46, it was also agreed during the telephone interview that none of Kimoto, Havinis, Bergkvist, nor Jokiahho teach or suggest transmitting means for adding said acquired location information to a network address of a server configured to supply map information based on said location information, said map information displayable by an arbitrary terminal, or transmitting means that is configured to transmit a network address and location information for receipt by said arbitrary terminal to allow a present location of a

mobile communication terminal to be mapped by said arbitrary terminal using said location information and said network address to obtain map information.

To the contrary, both Kimoto and Havinis are silent, as acknowledged on pages 11 and 21 of the office action mailed December 13, 2007, and neither Bergkvist nor Jokiahho teach or suggest that a network address and location information are transmitted for receipt by an arbitrary terminal to allow a present location of a mobile communication terminal to be mapped by said arbitrary terminal using said location information and said network address to obtain map information. During the telephonic interview, it was agreed that neither Bergkvist nor Jokiahho taught or suggested adding acquired location information to a network address of a server or transmittal of a network address and location information for receipt by an arbitrary terminal as described in Claim 46. It was further agreed during the telephone interview that the rejection on page 21 of the office action mailed December 13, 2007 failed to address these limitations.

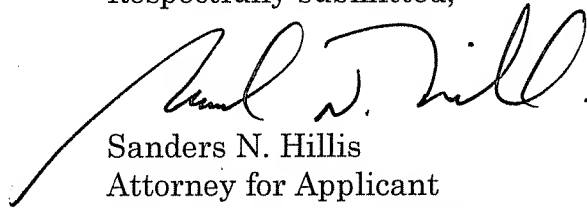
In still another example, Claim 49 describes a mobile terminal that includes a radio unit configured to receive down data that includes a request for a current location and a microcomputer configured to replace a portion of the received data with acquired location information. Claim 49 further describes that after replacement, the radio unit is configured to transmit a resulting data as up data. Neither Kimoto, Havinis, Bergkvist, nor Jokiahho describe a microcomputer included in a mobile terminal that is configured to replace a portion of received data, or a radio unit that after replacement is configured to wirelessly transmit a resulting data as up data. During the telephonic interview, it was agreed that none of Kimoto, Havinis, Bergkvist, nor Jokiahho taught or suggested such limitations. As was also discussed during the telephone interview, Applicant respectfully requests examination on the merits and a basis for the rejections of claims 52-54, and 56-60.

As discussed during the interview, for at least the previously discussed reasons, neither Kimoto, Havinis, Bergkvist, nor Jokiahho, either alone or in combination teach, suggest, or disclose each and every limitation described in

independent Claims 1, 23, 27, 46, and 49, or the Claims dependent therefrom. Thus, a *prima facie* case of obviousness has not been established and Applicant respectfully requests withdrawal of the 35 U.S.C. §103(a) rejections of the pending Claims. In addition, as further discussed during the interview, Applicant respectfully requests that examination on the merits and the basis for the rejection of Claims 7-10, 14-17, 33-35, 40, 43-44, and 52-54, and 56-62 be designated and clearly explained in a non-final office action to allow the Applicant an opportunity to respond to the specific rejections. See MPEP 707

The presently pending claims of this application are allowable and Applicant respectfully requests the Examiner to issue a Notice of Allowance for this application. Should the Examiner deem a telephone conference to be beneficial in expediting allowance/examination of this application, the Examiner is invited to call the undersigned attorney at the telephone number listed below.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Sanders N. Hillis", is written over the typed name and title.

Sanders N. Hillis  
Attorney for Applicant  
Attorney Reg. No. 45,712

BRINKS HOFER GILSON & LIONE  
CUSTOMER NO. 27879  
Telephone: 317-636-0886